

EXHIBIT 3

SAUL EWING
ARNSTEIN
& LEHR^{LLP}

Joseph M. Kuo

Phone: 312.876.7151

joseph.kuo@saul.com

www.saul.com

November 14, 2017

VIA FEDEX

Mr. Mark Messner – CEO and President
Summer Infant, Inc.
1275 Park East Drive
Woonsocket, RI 02895

Re: U.S. Patent No. 6,578,209

Dear Mr. Messner,

We represent TOMY International, Inc. (f/k/a Learning Curve Brands, Inc.) in intellectual property matters. TOMY is the owner by way of assignment of U.S. Patent No. 6,578,209 (the "'209 Patent"). A copy of the '209 Patent is attached for your reference. TOMY's Sure Comfort Deluxe product, which is covered by the '209 Patent, has included patent markings since March 2005. As such, you were under at least constructive notice of the '209 Patent, and quite possibly had actual knowledge of the '209 Patent.

It has come to our attention that Summer Infant has recently begun selling and offering for sale a product referred to as the Comfy Clean Deluxe tub for newborns and toddlers. Our investigations confirm that the Comfy Clean Deluxe tub infringes one or more claims of TOMY's '209 Patent.

The '209 Patent was filed as U.S. Patent application serial no. 09/975,924 on October 12, 2001. The '209 Patent includes 31 claims, 3 of which are independent claims. Of these claims, our analysis of Summer Infant's Comfy Clean Deluxe tubs leads us to conclude that at least each of independent claims 1, 23, and 30 literally reads thereon. Claim 1 of the '209 Patent is reproduced below for your convenience:

A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin,

a first of the opposing side walls extending at a first incline angle with respect to the rim, and a second, opposite one of the opposing side walls extending at a second incline angle with respect to the rim, the first and second inclined side walls forming first and second back rests for children seated in the tub in different orientations,

161 North Clark • Suite 4200 • Chicago, IL 60601
Phone: (312) 876-7100 • Fax: (312) 876-0288

DELAWARE FLORIDA ILLINOIS MARYLAND MASSACHUSETTS NEW JERSEY NEW YORK PENNSYLVANIA WASHINGTON, DC
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November 14, 2017

Page 2

the bottom surface having two seating surfaces disposed at differing inclinations and extending from respective back rests to distal edges joined at a bottom surface apex spaced from either end of the basin, each seating surface forming, together with a respective one of the back rests, an inclined seat;

wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about two inches (five centimeters).

Claim charts demonstrating how each limitation of claim 1, as well as claims 23 and 30, is literally found in the Summer Infant tub are attached for your reference.

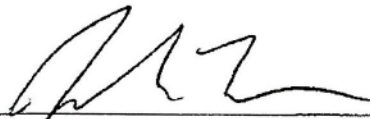
Summer Infant's infringing acts are severely and irreparably harming our client's intellectual property rights. Indeed, to the extent that you were aware of the '209 Patent, your infringing acts are willful, and may subject you to enhanced damages and attorneys' fees.

We demand that you immediately cease and desist from any future infringing acts, including the importation, sale, and offering for sale of the Comfy Clean Deluxe. We must have written confirmation by no later than Noon (Central time) **Monday, November 20, 2017** that you will immediately discontinue any and all sales and offers for sale of the infringing tubs. In addition, we demand an accounting of all sales of the Comfy Clean Deluxe product since its introduction to present.

We look forward to your response.

Very truly yours,

SAUL EWING ARNSTEIN & LEHR LLP



Joseph M. Kuo

Cc: Judith Grubner

Enclosures

US006578209B2

(12) **United States Patent**
Lopes et al.

(10) **Patent No.:** **US 6,578,209 B2**
(45) **Date of Patent:** **Jun. 17, 2003**

(54) **TUBS FOR BATHING INFANTS AND TODDLERS**

(75) Inventors: **A. Paula Lopes**, Boston, MA (US);
Michael A. Susi, Marlborough, MA (US); **Christopher J. Reinke**, West
Townsend, MA (US); **Ryan P. Rafter**,
Allston, MA (US)

(73) Assignee: **The First Years Inc.**, Lake Forest, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **09/975,924**

(22) Filed: **Oct. 12, 2001**

(65) **Prior Publication Data**

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(51) **Int. Cl.**⁷ **A47K 3/024**

(52) **U.S. Cl.** **4/572.1**

(58) **Field of Search** **4/572.1**

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,512,068 A * 10/1924 Thornburg 4/572.1
D188,838 S * 9/1960 Johnson 4/572.1
4,561,135 A * 12/1985 Adriaansen 4/572.1

RE32,806 E * 12/1988 Gurolnick 4/572.1
5,092,001 A 3/1992 Ross et al. 4/572.1
5,181,284 A 1/1993 Raphael et al. 4/572.1
5,276,926 A 1/1994 Lopez 4/572.1
5,361,430 A 11/1994 Wise 4/572.1
5,406,655 A 4/1995 Sahlin 4/572.1
5,588,159 A 12/1996 Poulson et al. 4/572.1
5,687,433 A 11/1997 Garner et al. 4/572.1
5,809,588 A 9/1998 Angelotti 4/572.1
5,966,752 A 10/1999 Abugideiri 4/572.1
6,112,343 A 9/2000 Dixon 4/572.1
6,158,065 A 12/2000 Tuoriniemi et al. 4/538

FOREIGN PATENT DOCUMENTS

GB 2193887 * 2/1988 4/572.1

* cited by examiner

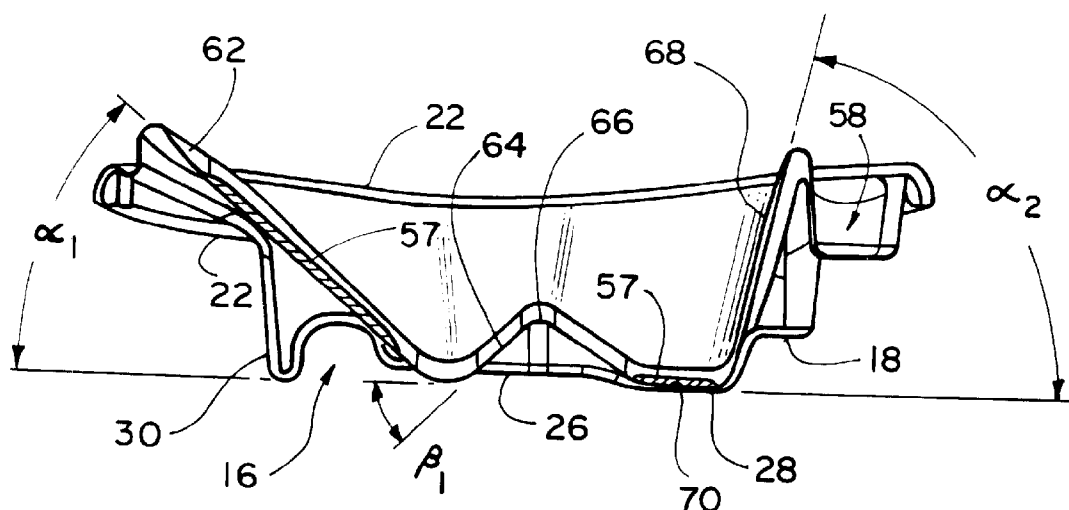
Primary Examiner—Robert M. Fetsuga

(74) *Attorney, Agent, or Firm*—Fish & Richardson P.C.

(57) **ABSTRACT**

A tub for bathing children is configured with opposing back rests and associated seating surfaces, for bathing an infant reclining against one of the back rests, or a toddler seated against the other back rest. The tub is molded of a shape enabling multiple tubs to nest particularly well, for efficient merchandising and storage, and includes a fresh water basin molded behind one of the back rests. The underside of the tub is configured to fit safely within either a standard kitchen sink, or one basin of a double sink.

31 Claims, 6 Drawing Sheets



U.S. Patent

Jun. 17, 2003

Sheet 1 of 6

US 6,578,209 B2

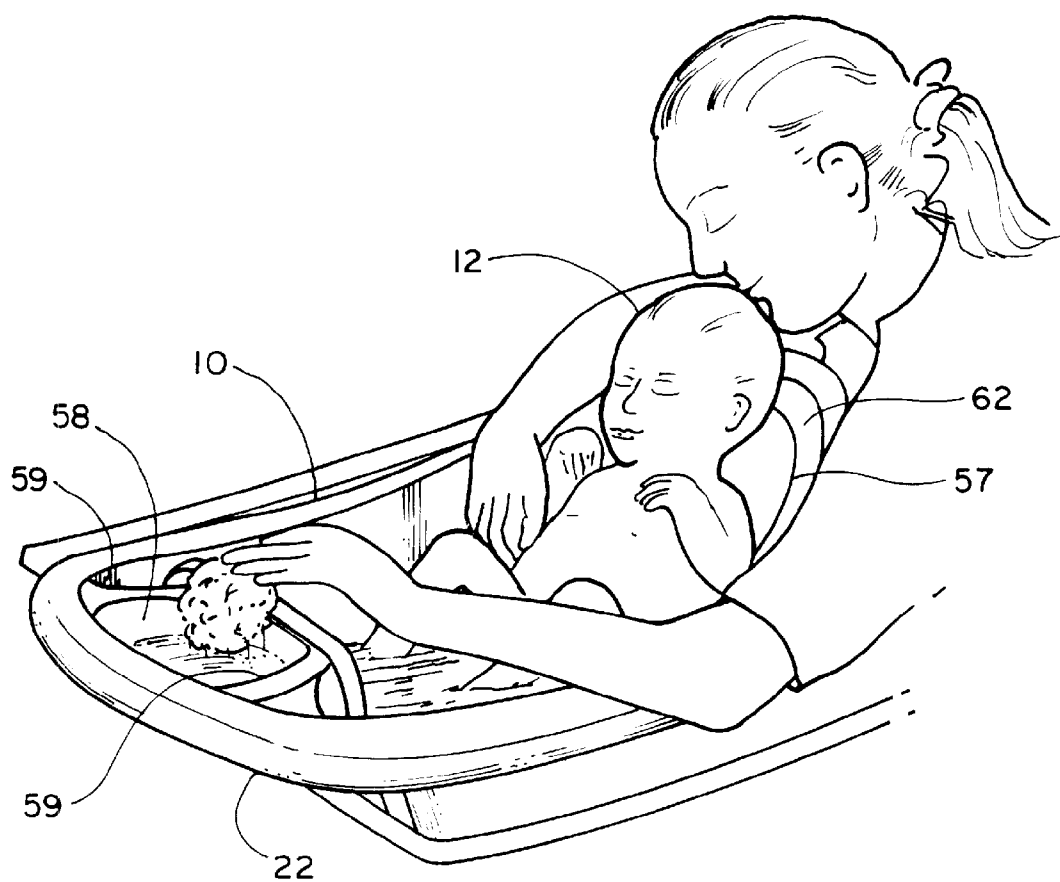


FIG. 1

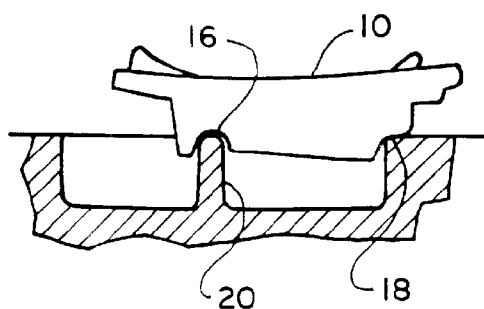
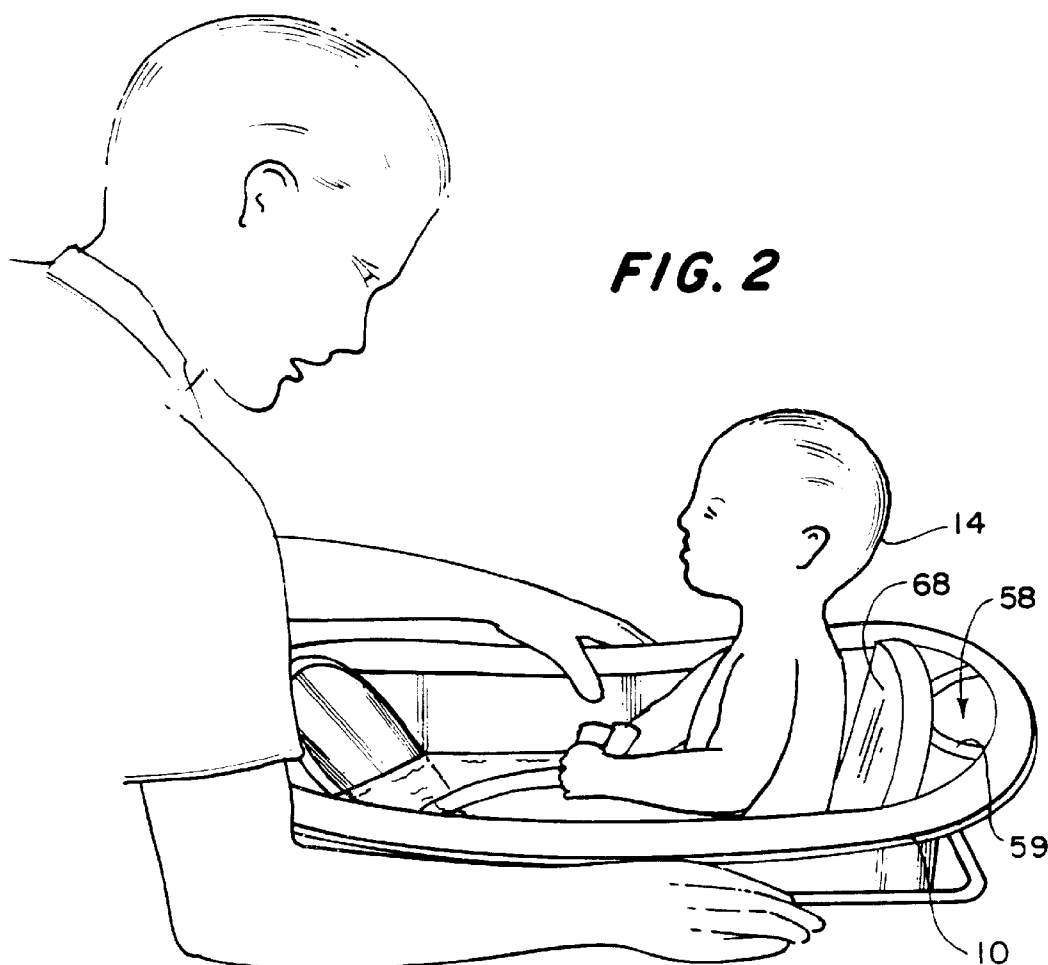


FIG. 3A

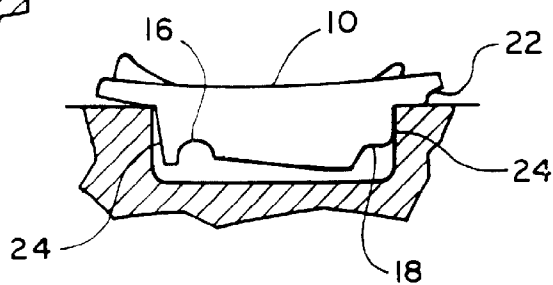
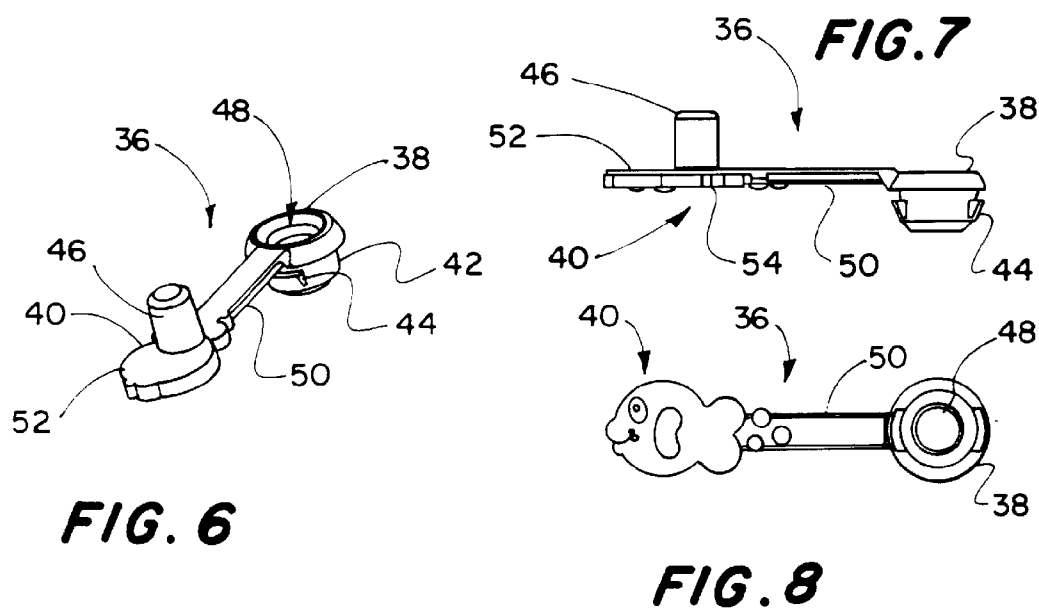
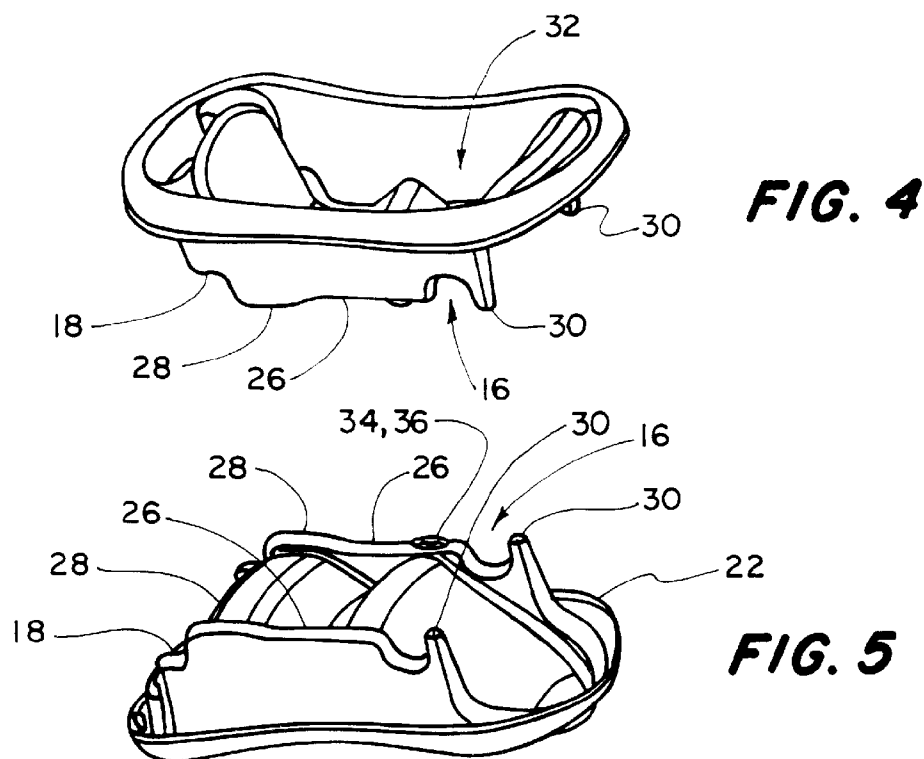


FIG. 3B



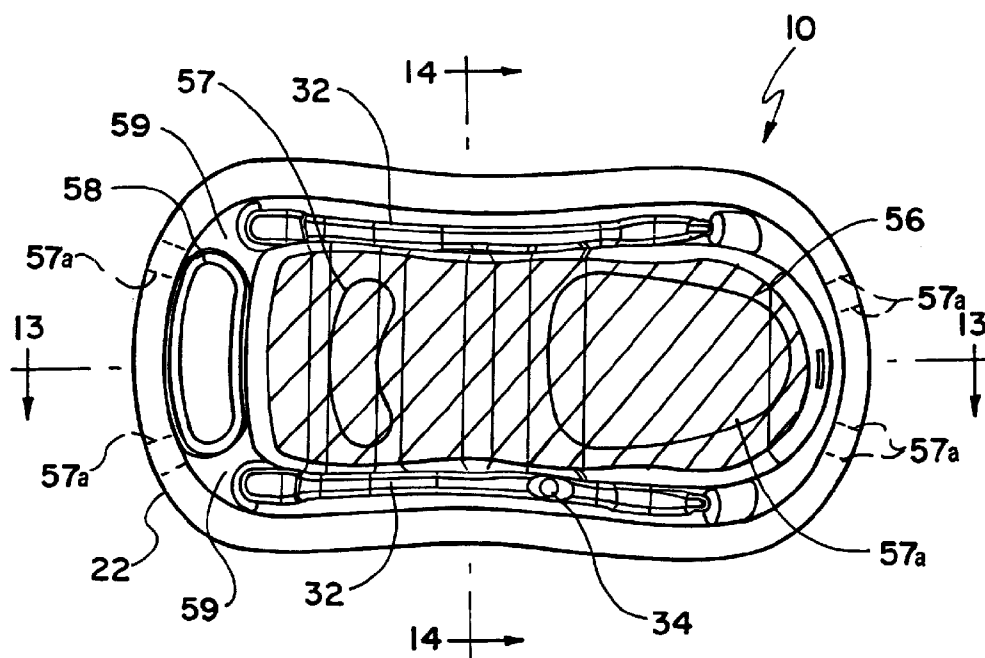


FIG. 9

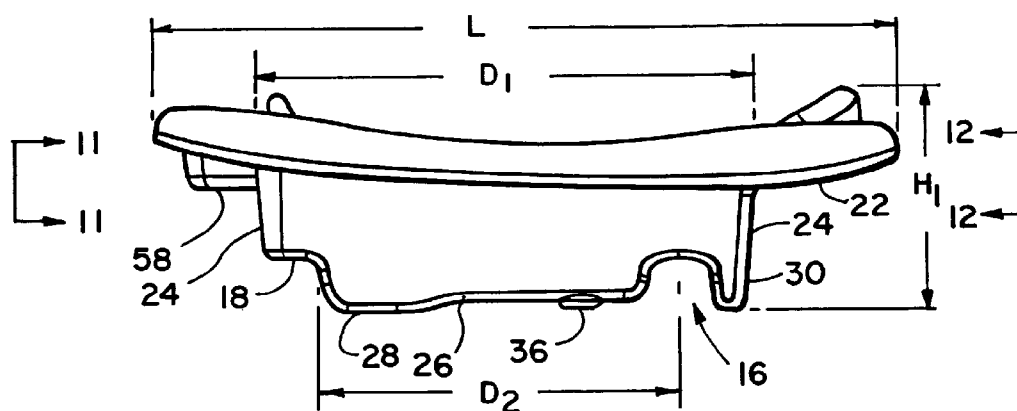


FIG. 10

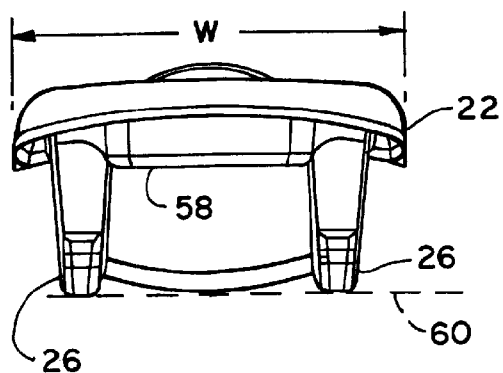


FIG. 11

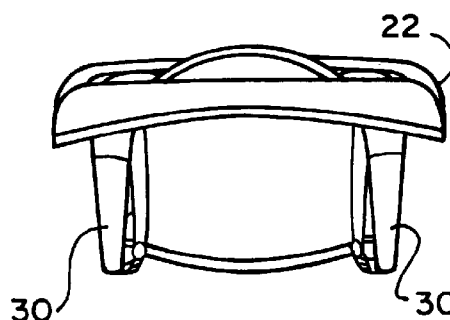


FIG. 12

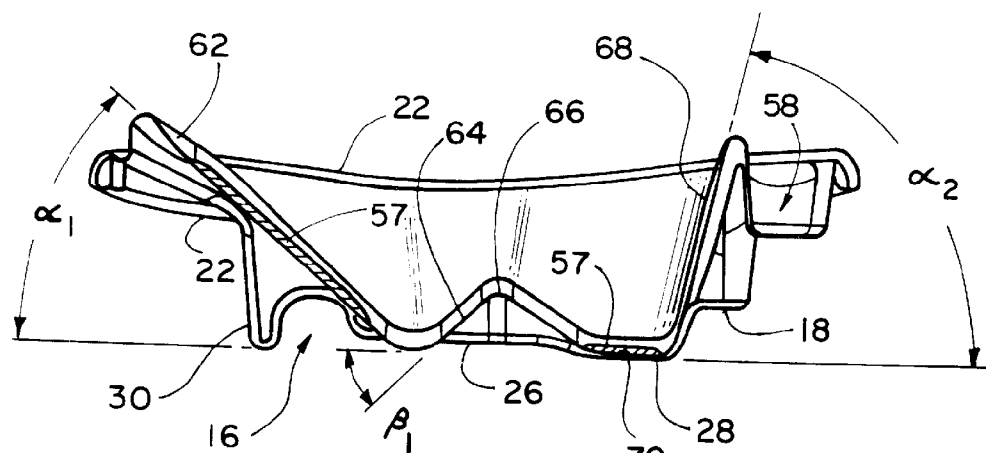


FIG. 13

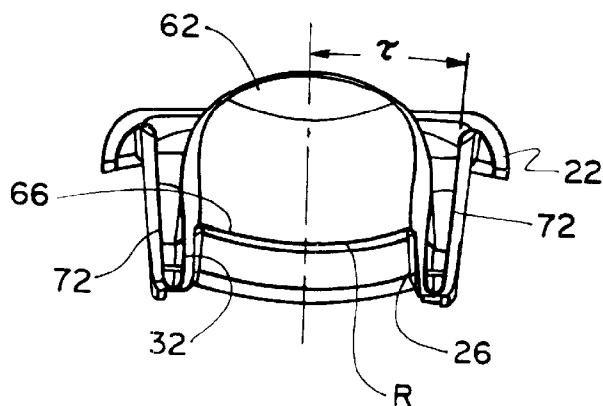


FIG. 14

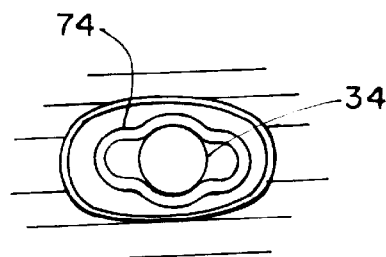


FIG. 15

U.S. Patent

Jun. 17, 2003

Sheet 6 of 6

US 6,578,209 B2

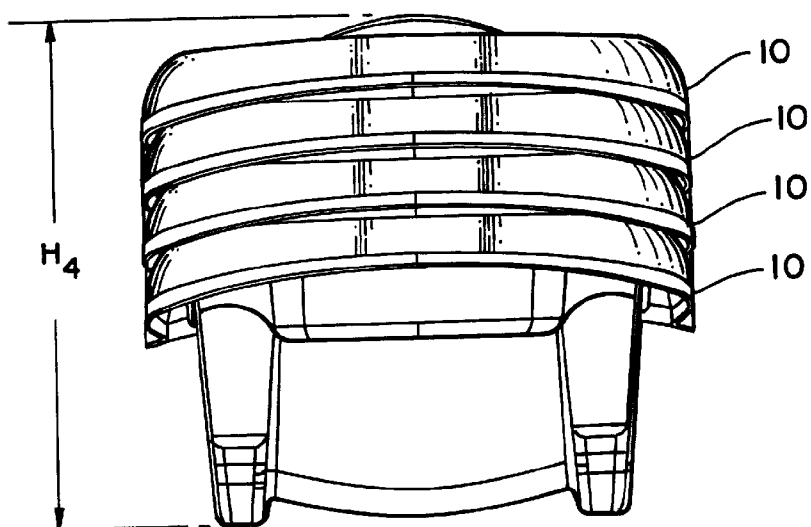
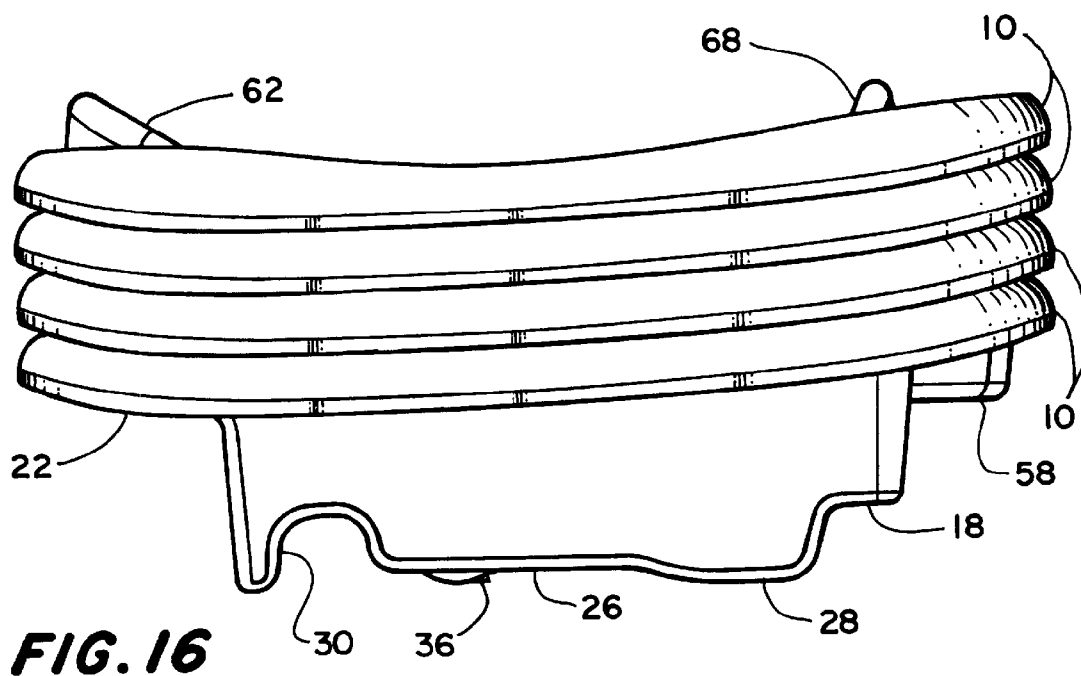


FIG. 17

US 6,578,209 B2

1

TUBS FOR BATHING INFANTS AND TODDLERS

TECHNICAL FIELD

This invention relates to tubs for bathing infants and toddlers, particularly tubs configured to bathe children in both a reclined and a seated position.

BACKGROUND

Very young infants are unable to sit unsupported, and so are typically bathed in a reclined position. Inexpensive plastic tubs are sold for this purpose. These tubs are typically configured to be set upon a horizontal surface, such as a kitchen countertop, for use, and some of these tubs can fit in standard kitchen sinks.

As children develop the ability to sit up, they often are unwilling to remain reclined for bathing, but prefer to sit erect. Some parents then switch to bathing their children in an adult tub, although some would prefer to continue to bathe such children in smaller tubs, either for convenience and water conservation, or for fear of injury. At least one tub has been configured with a reclined back rest at one end for bathing infants, and a more upright back rest at the other end for bathing an older child in a seated position. Although such extended use tubs have been quite well received in the market, improvements are sought for the utility and efficiency of such tubs.

SUMMARY

We have realized several particularly useful improvements in the design and use of tub for bathing children. Our invention features a tub having a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin. A first of the opposing side walls extends at a first incline angle with respect to the rim, and a second, opposite one of the opposing side walls extends at a second incline angle with respect to the rim, the first and second inclined side walls forming back rests for children seated in the tub in different orientations. In this sense, the tub is useful for bathing at one time an infant reclined against the first back rest, and then, at another time, bathing a child seated erect against the second back rest.

Preferably, the bottom surface has two seating surface disposed at differing inclinations and extending from respective back rests to distal edges joined at a bottom surface apex spaced from either end of the basin, each seating surface forming, together with a respective one of the back rests, an inclined seat.

According to one aspect of the invention, the body has a nominal thickness an upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about 2.0 inch (5 centimeters), preferably less than about 1.75 inch (4.5 centimeters). By "nesting space differential" we mean the maximum linear difference in space occupied by one tub and two tubs nested together. Generally, this will be the increase in vertical stack height caused by adding one more tub to a stack of already nested tubs. This parameter is critical to the efficient transportation and storage of tubs, particularly of molded plastic tubs that generally have little weight for the space they occupy. Occupied space can generally be considered the size of the smallest parallelepiped or box that will contain the tub.

2

According to another aspect of the invention, the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a stacking factor of less than about 20 percent. By "stacking factor" we mean the increase in height of two such tubs nested together, as compared to a single such tub. For example, if each tub has a height of 10 inches (25 centimeters), and the tubs nested together have a stacked height of 12 inches (30 centimeters), then we would say that such tubs have a stacking factor of 20 percent.

In some embodiments, the cavity includes two side troughs extending along either side of the inclined seats and formed within wales defining resting points positioned to support the tub on a horizontal surface. Preferably, the wales form laterally aligned sink divider notches at one end of the cavity, and laterally aligned ledges at the other end of the cavity, with the notches sized and positioned to receive an upper edge of a divider of a double sink when the tub is placed over one basin of the double sink with the ledges resting on one outer edge of the sink. In some cases, the notch and ledge are separated along each wale by a distance of about 14.5 inches (37 centimeters).

In some embodiments, the wales each have longitudinal ends disposed behind the back rests and positioned to abut opposite walls of a single sink with the tub rim resting upon an upper edge of the sink and the tub disposed within the sink. Preferably, the longitudinal ends of each wale are spaced apart by a distance of about 20 inches (50 centimeters).

In some embodiments, the side troughs extend below and along either side of the bottom surface apex.

The tub rim defines a separate water basin behind one of the back rests in some constructions. The separate water basin may be defined between braces extending from behind one of the back rests, for example.

In some cases, the rim includes a downwardly depending, distal edge of the plastic body and forms guide ridges at one end of the tub for positioning edge clips of a tub cradle.

A drain hole may be provided in a bottom of the basin, with the tub including a removable drain plug for plugging the hole.

Preferably, the first inclined wall extends generally at an angle of between about 35 and 45 degrees with respect to horizontal with the tub resting upright on a horizontal surface. In a particularly preferred embodiment, the first inclined wall extends generally at an angle of about 41 degrees with respect to horizontal with the tub resting upright on a horizontal surface, with the seating surface associated with the first inclined wall inclined at about 45 degrees with respect to horizontal with the tub resting upright on a horizontal surface.

Preferably, the second inclined wall extends generally at an angle of between about 70 and 85 degrees with respect to horizontal with the tub resting upright on a horizontal surface. In the presently preferred embodiment, the second inclined wall extends generally at an angle of about 77 degrees with respect to horizontal with the tub resting upright on a horizontal surface, with the seating surface associated with the first inclined wall disposed generally horizontally with the tub resting upright on a horizontal surface.

The seating surfaces may be joined by a central bottom surface portion that rises from the distal edge of one of the seating surfaces to the distal edge of the other of the seating surfaces.

Preferably, the tub has an overall height of less than about 10 inches (25 centimeters).

The body may be molded of various resins, including polypropylene.

According to another aspect of the invention, the cavity of the tub includes two side troughs extending along either side of the inclined seats and formed within wales defining resting points positioned to support the tub on a horizontal surface, the wales forming laterally aligned sink divider notches at one end of the cavity, and laterally aligned ledges at the other end of the cavity, the notches sized and positioned to receive an upper edge of a divider of a double sink when the tub is placed over one basin of the double sink with the ledges resting on one outer edge of the sink.

In some embodiments, the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about two inches (five centimeters).

The notch and ledge are preferably separated along each wale by a distance of about 14.5 inches (37 centimeters).

In some cases, the wales each have longitudinal ends disposed behind the back rests and positioned to abut opposite walls of a single sink with the tub rim resting upon an upper edge of the sink and the tub disposed within the sink. Preferably, the longitudinal ends of each wale are spaced apart by a distance of about 20 inches (50 centimeters).

In some embodiments the tub rim defines, behind one of the back rests, a separate water basin having a lower surface formed by a molded body surface positioned to rest upon the upper edge of the sink with the tub disposed within the sink. Preferably, the separate water basin is configured to hold at least about 20 ounces (0.6 liters) of water.

In some preferred embodiments, the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a stacking factor of less than about 20 percent.

The above-described tubs enable yet another aspect of the invention, a method of bathing children. The method includes placing an infant in the tub of one of the above-described tubs, with the infant reclined against the first back rest; washing and removing the infant; placing a child in the tub, with the child seated against the second back rest; and washing the child.

Another aspect of the invention features a stack of tubs, each tub consisting of a tub configured as described above, the stack having an overall height less than 10 inches plus the quantity of two inches times the number of tubs, less one, in the stack.

In some cases, the stack consists of at least five tubs and has an overall height less than about 18 inches (46 centimeters).

The invention features improvements to the configuration of known "2-in-1" infant/toddler tubs, enabling more efficient packaging and greater utility.

The details of one or more embodiments of the invention are set forth in the accompanying drawings and the description below. Other features, objects, and advantages of the invention will be apparent from the description and drawings, and from the claims.

DESCRIPTION OF DRAWINGS

FIG. 1 shows an infant being bathed in a tub, in a reclined position.

FIG. 2 shows a toddler being bathed in the tub of FIG. 1, but in a seated position.

FIGS. 3A and 3B illustrate the tub installed over a double sink and a single sink, respectively.

FIG. 4 is an upper perspective view of the tub.

FIG. 5 is a lower perspective view of the tub.

FIG. 6 is a perspective view of a drain plug.

FIGS. 7 and 8 are side and bottom views, respectively, of the drain plug of FIG. 6.

FIGS. 9 and 10 are top and side views, respectively, of the tub.

FIGS. 11 and 12 are end views of the tub, as seen in the direction of arrows 11—11 and 12—12, respectively, in FIG. 10.

FIGS. 13 and 14 are cross-sectional views, taken along lines 13—13 and 14—14, respectively, in FIG. 9.

FIG. 15 is an enlarged view of the drain hole of the tub, as viewed from under the tub.

FIGS. 16 and 17 are side and end views, respectively, of a stack of four of the tubs.

Like reference symbols in the various drawings indicate like elements.

DETAILED DESCRIPTION

Referring first to FIGS. 1 and 2, tub 10 is designed to be set into a sink for bathing either an infant 12 in a reclined position (FIG. 1), or a toddler 14 in an upright, seated position (FIG. 2). Tub 10 can also be stably set upon a horizontal surface outside of a sink.

As shown in FIGS. 3A and 3B, tub 10 is configured to either be placed securely within a typical single kitchen sink (FIG. 3B), or over one basin of a typical double sink (FIG. 3A). To fit a standard double sink, or a smaller sink, a notch 16 is provided along the bottom of the tub and spaced apart from a ledge 18. Notch 16 receives the upper edge of the sink divider 20 when the tub is placed over the sink basin with ledge 18 resting on the sink edge. In place, the tub is prevented from moving forward or back by the contour of the underside of the tub, which extends down into the sink basin. For use in a standard single sink, or a larger sink basin, the tub is placed into the sink with the underside of its rim 22 (e.g., its fresh water basin) resting on the edge of the sink. Vertical side walls 24 of the tub are spaced apart so as to constrain the tub from moving back and forth when in place in a sink of typical dimensions.

Referring to FIGS. 4 and 5, the bottom of the tub includes two longitudinal, parallel wales 26 that define tub resting points in a plane corresponding to a flat horizontal surface upon which the tub may be set for use. These resting points include wale end portions 28 at one end of each wale, and projections 30 at the other end of each wale. For proper nesting with identical tubs, the inner surface of each wale 26 forms a trough 32 on the inside of the tub, running along either side of the seating surfaces, that receives a wale of a nested tub. A notch 16 is defined adjacent the projection 30 of each wale, for receiving a double sink divider as shown in FIG. 3A. A drain hole 34 is provided along one wale 26, in which an openable drain plug 36 is inserted.

Details of drain plug 36 are shown in FIGS. 6 through 8. Plug 36 is a molded piece of flexible resin that has a receptacle end 38 and a plug end 40. The receptacle end has a projection 42 sized to fit within the tub drain hole, and has laterally extending ears 44 that engage a distal side of the tub to retain the plug in place. Once in place, a projection 46 of

5

the plug end can be inserted in a drain opening **48** defined through receptacle end **38** by resiliently bending plug **36** at its central region **50**. To open the drain, plug end **40** includes a graspable tab **52**. As shown, an outer surface **54** of plug end **40** can be molded to include an aesthetically pleasing or entertaining graphic. The drain plug may also be molded of a material that changes color at elevated temperatures, or include some other temperature indicator.

Referring next to FIG. 9, the seating and back rest surfaces of tub **10** are textured in an area **56** shown in cross-hatch, to help prevent sliding. Furthermore, padded foam layers **57** (shown in outline only) are applied after molding, such as with an adhesive, on the toddler seating surface and the infant back rest, for comfort. A separate water basin **58** is defined within rim **22** of the tub, behind one of the back rests and between two braces **59** extending from the back side of the back rest. Preferably, basin **58** is at least two inches across at its midpoint, to accommodate a child's drinking glass as used by many parents as a rinsing aid. In the presently preferred embodiment, basin **58** is configured to hold at least about 20 ounces (0.6 liters) or water. Alignment ribs **57** under the distal edge of rim **22** at either end of the tub define slots for receiving clips to secure an optional tub sling (not shown) across the tub basin.

Referring to FIGS. 10 through 12, tub **10** has an overall length "L" of about 30 inches (76 centimeters), an overall height H_1 of about 9 inches (23 centimeters), and a width "W" of about 15.6 inches (40 centimeters). End wale surfaces **24**, which are vertical save for a slight molding and nesting draft angle of about five degrees, are spaced apart a distance D_1 of about 20 inches (50 centimeters). This distance is selected to enable the tub to securely fit many common single sink basins. An inner edge of ledge **18** is spaced from the center of notch **16** a distance D_2 of about 14.5 inches (37 centimeters), so as to enable the tub to safely span one basin of many double sinks. Notches **16** have a width of about 2.8 inches (7.1 centimeters). FIG. 11 illustrates the tub resting on a flat, horizontal surface **60**, such as a kitchen counter or table, and FIGS. 11 and 12 show that both seating surfaces are gently curved.

The general side profile of the seating surfaces can be seen in the cross-section of FIG. 13. As shown, two seating surfaces are disposed at one end of the tub (the left end, as shown), an inclined surface **62** extends generally at the angle \acute{E}_1 of about 41 degrees and serves as a back rest for a reclining infant (see also FIG. 1). At the lower end of surface **62**, a tub bottom surface **64** extends upward generally at an angle \acute{e}_1 of about 45 degrees and forms a seating surface associated with back rest **62**, with apex **66** received behind the knees of the infant. At the other end of the tub (the right end, as shown), an opposing back rest **68** extends generally at the angle \acute{E}_2 of about 77.5 degrees and serve as a back rest for a toddler seated on generally horizontal seating surface **70** (see also FIG. 2).

As seen in FIG. 14, the side walls **72** of the tub, as well as most other surfaces that extend generally perpendicular to the horizontal resting plane of the tub, are molded at a draft angle τ , with respect to vertical, of about five degrees. We find that this draft angle provides sufficient draft to keep multiple nested tubs from undesirably sticking together. Low ribs may also be molded onto broad tub surfaces to help avoid vacuum lock between nested tubs, without significantly increasing the stacking factor. Also shown is that the curvature of apex **66** generally follows a radius "R" of about 12 inches (30 centimeters), similar to the curvature of the infant seating surface.

6

That the upper and lower surfaces of the tub are complementary enables the tub to efficiently nest. The polypropylene body of the tub **10** is molded as one-piece with a nominal wall thickness, as defined between the complementary upper and lower surfaces, of only about 0.085 inch (2.2 millimeters).

FIG. 15 shows a flat recess **74** molded about drain hole **34** and configured to provide relief for the drain plug in its closed condition.

Tubs **10** can nest together with a very low stacking factor, to great advantage in reducing space required for merchandising and shipping. In some preferred embodiments, tubs **10** nest with a stacking factor of less than about 20 percent. For example, FIGS. 16 and 17 show four such tubs stacked together to have an overall stacked height H_4 of only about 14.1 inches (36 centimeters). This is because each additional tub adds only about 1.7 inches (4.3 centimeters) of height to the stack. Preferably, at least five tubs will be stackable within an overall height of 18 inches (46 centimeters), for efficient merchandising. The illustrated embodiment enables stacking of six tubs within this height.

A presently preferred embodiment of the invention has been described. Nevertheless, it will be understood that various modifications may be made without departing from the spirit and scope of the invention. Accordingly, other embodiments are within the scope of the following claims.

What is claimed is:

1. A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin,

a first of the opposing side walls extending at a first incline angle with respect to the rim, and a second, opposite one of the opposing side walls extending at a second incline angle with respect to the rim, the first and second inclined side walls forming first and second back rests for children seated in the tub in different orientations;

the bottom surface having two seating surfaces disposed at differing inclinations and extending from respective back rests to distal edges joined at a bottom surface apex spaced from either end of the basin, each seating surface forming, together with a respective one of the back rests, an inclined seat;

wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about two inches (five centimeters).

2. The tub of claim 1 wherein the cavity includes two side troughs extending along either side of the inclined seats and formed within wales defining resting points positioned to support the tub on a horizontal surface.

3. The tub of claim 2 wherein the wales form laterally aligned sink divider notches at one end of the cavity, and laterally aligned ledges at the other end of the cavity, the notches sized and positioned to receive an upper edge of a divider of a double sink when the tub is placed over one basin of the double sink with the ledges resting on one outer edge of the sink.

4. The tub of claim 3 wherein, along each wale, the notch and ledge are separated by a distance of about 14.5 inches (37 centimeters).

5. The tub of claim 2 wherein the wales each have longitudinal ends disposed behind the back rests and posi-

7

tioned to abut opposite walls of a single sink with the tub rim resting upon an upper edge of the sink and the tub disposed within the sink.

6. The tub of claim 5 wherein the longitudinal ends of each wale are spaced apart by a distance of about 20 inches (50 centimeters).

7. The tub of claim 2 wherein the side troughs extend below and along either side of the bottom surface apex.

8. The tub of claim 1 wherein the tub rim defines, behind one of the back rests, a separate water basin.

9. The tub of claim 8 wherein the separate water basin is defined between braces extending from behind one of the back rests.

10. The tub of claim 1 wherein the rim includes a downwardly depending, distal edge of the plastic body and forms guide ridges at one end of the tub for positioning edge clips of a tub cradle.

11. The tub of claim 1 defining a drain hole in a bottom of the basin, and further comprising a removable drain plug.

12. The tub of claim 1 wherein the first inclined wall extends generally at an angle of between about 35 and 45 degrees with respect to horizontal with the tub resting upright on a horizontal surface.

13. The tub of claim 12 wherein the first inclined wall extends generally at an angle of about 41 degrees with respect to horizontal with the tub resting upright on a horizontal surface.

14. The tub of claim 12 wherein the seating surface associated with the first inclined wall is inclined at about 45 degrees with respect to horizontal with the tub resting upright on a horizontal surface.

15. The tub of claim 1 wherein the second inclined wall extends generally at an angle of between about 70 and 85 degrees with respect to horizontal with the tub resting upright on a horizontal surface.

16. The tub of claim 15 wherein the second inclined wall extends generally at an angle of about 77 degrees with respect to horizontal with the tub resting upright on a horizontal surface.

17. The tub of claim 15 wherein the seating surface associated with the first inclined wall is disposed generally horizontally with the tub resting upright on a horizontal surface.

18. The tub of claim 1 wherein the seating surfaces are joined by a central bottom surface portion that rises from the distal edge of one of the seating surfaces to the distal edge of the other of the seating surfaces.

19. The tub of claim 1 having an overall height of less than about 10 inches (25 centimeters).

20. The tub of claim 1 wherein the body is molded of a resin comprising polypropylene.

21. The tub of claim 1 nestable within an identical tub with a nesting space differential of less than about 1.75 inches (4.5 centimeters).

22. A method of bathing children, comprising
placing an infant in the tub of claim 1, with the infant reclined against the first back rest;
washing the infant;
removing the infant;
placing a child in the tub, with the child seated against the second back rest; and
washing the child.

23. A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite

8

ends of the basin, wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a stacking factor of less than about 20 percent;

a first of the opposing side walls extending at a first incline angle with respect to the rim, and a second, opposite one of the opposing side walls extending at a second incline angle with respect to the rim, the first and second inclined side walls forming first and second back rests for children seated in the tub in different orientations;

the bottom surface having two seating surfaces disposed at differing inclinations and extending from respective back rests to distal edges joined at a bottom surface apex spaced from either end of the basin, each seating surface forming, together with a respective one of the back rests, an inclined seat;

wherein the cavity includes two side troughs extending along either side of the inclined seats and formed within wales defining resting points positioned to support the tub on a horizontal surface, the wales forming laterally aligned sink divider notches at one end of the cavity, and laterally aligned ledges at the other end of the cavity, the notches sized and positioned to receive an upper edge of a divider of a double sink when the tub is placed over one basin of the double sink with the ledges resting on one outer edge of the sink.

24. The tub of claim 23 wherein the body has a nominal thickness and upper and lower surface having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about two inches (five centimeters).

25. The tub of claim 24 wherein, along each wale, the notch and ledge are separated by a distance of about 14.5 inches (37 centimeters).

26. The tub of claim 23 wherein the wales each have longitudinal ends disposed behind the back rests and positioned to abut opposite walls of a single sink with the tub rim resting upon an upper edge of the sink and the tub disposed within the sink.

27. The tub of claim 26 wherein the longitudinal ends of each wale are spaced apart by a distance of about 20 inches (50 centimeters).

28. The tub of claim 26 wherein the tub rim defines, behind one of the back rests, a separate water basin having a lower surface formed by a molded body surface positioned to rest upon the upper edge of the sink with the tub disposed within the sink.

29. The tub of claim 28 wherein the separate water basin is configured to hold at least about 20 ounces (0.6 liters) of water.

30. A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin, wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about two inches (five centimeters);

a first of the opposing side walls extending at a first incline angle with respect to the rim, and a second, opposite one of the opposing side walls extending at a second incline angle with respect to the rim, the first and second inclined side walls forming first and second back rests for children seated in the tub in different orientations;

US 6,578,209 B2

9

the bottom surface having two seating surfaces disposed at differing inclinations and extending from respective back rests to distal edges joined at a bottom surface apex spaced from either end of the basin, each seating surface forming, together with a respective one of the back rests, an inclined seat; 5
wherein the cavity includes two side troughs extending along either side of the inclined seats and formed within wales defining resting points positioned to support the tub on a horizontal surface, the wales forming 10
laterally aligned sink divider notches at one end of the

10

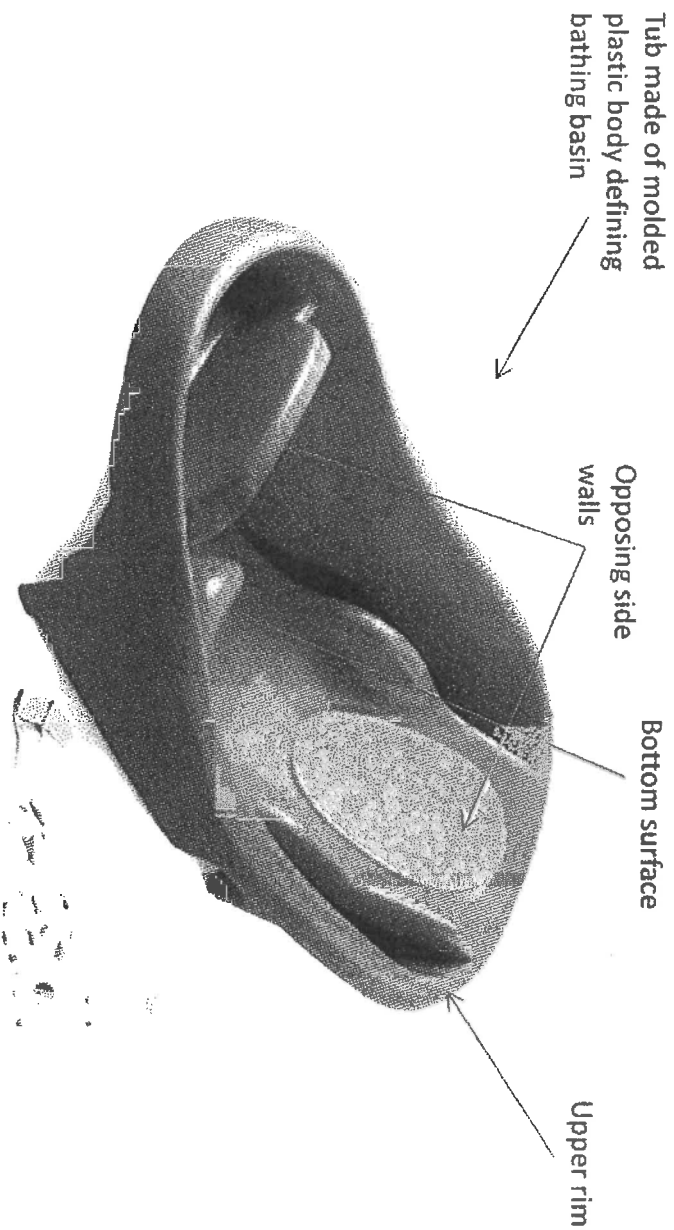
cavity, and laterally aligned ledges at the other end of the cavity, the notches sized and positioned to receive an upper edge of a divider of a double sink when the tub is placed over one basin of the double sink with the ledges resting on one outer edge of the sink.

31. The tub of claim 30 wherein, along each wale, the notch and ledge are separated by a distance of about 14.5 inches (37 centimeters).

* * * * *

Claim 1 (clause 1)

A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin,



Claim 1 (clause 2)

a first of the opposing side walls extending at a first incline angle with respect to the rim, and a second, opposite one of the opposing side walls extending at a second incline angle with respect to the rim, the first and second inclined side walls forming first and second back rests for children seated in the tub in different orientations,

First sidewall extending
at first incline angle



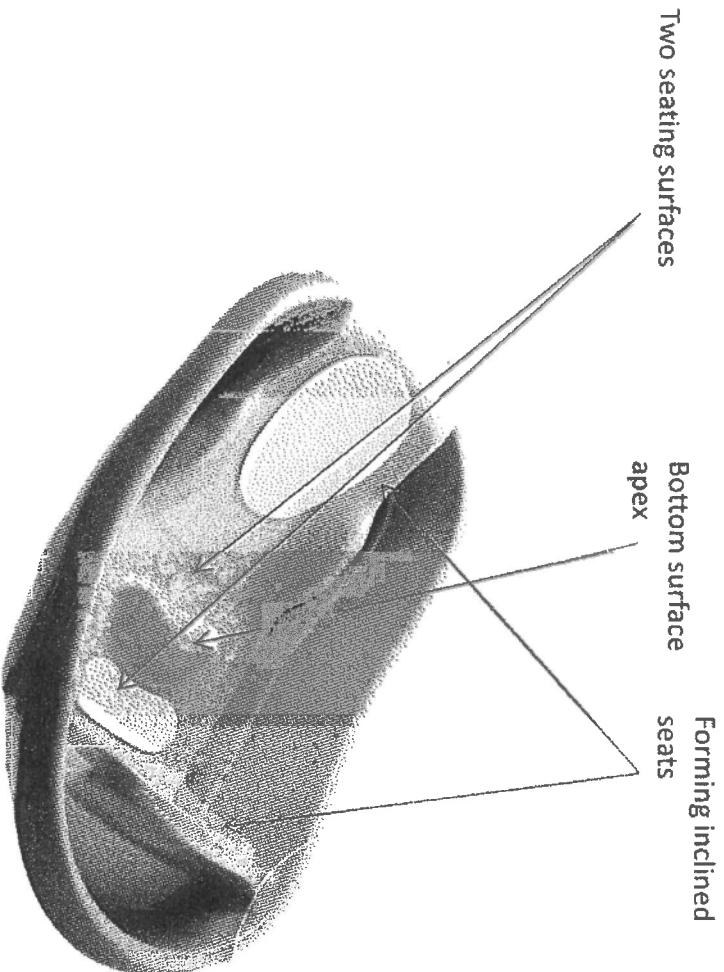
Second sidewall
extending at second
incline angle



First and second sidewalls forming back rests for children
seated in the tub in different orientations

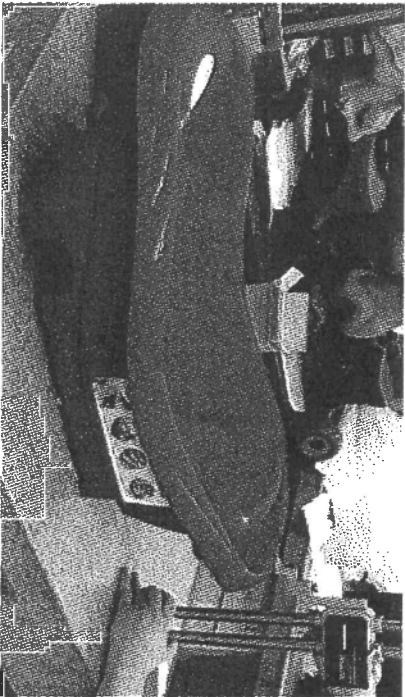
Claim 1 (clause 3)

the bottom surface having two seating surfaces disposed at differing inclinations and extending from respective back rests to distal edges joined at a bottom surface apex spaced from either end of the basin, each seating surface forming, together with a respective one of the back rests, an inclined seat



Claim 1 (clause 4)

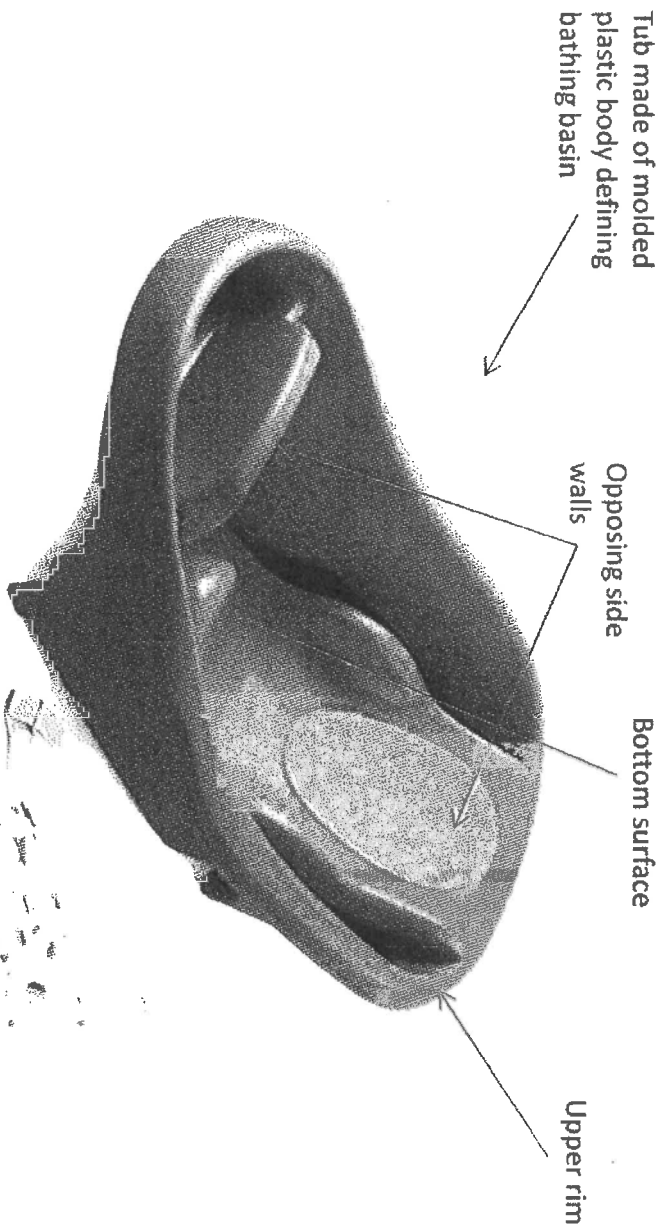
wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about two inches (five centimeters).



Summer Infant – Comfy Clean Deluxe		
1 Tub (height)	2 Tubs (height)	Nesting Space Differential (inches)
8.935	10.505	1.57

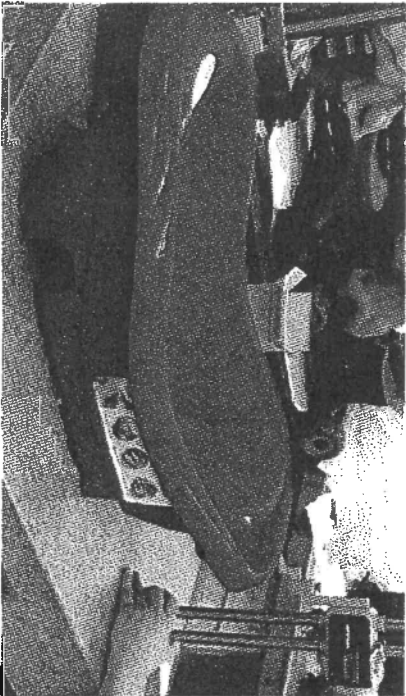
Claim 23 (clause 1)

A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin, wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a stacking factor of less than about 20 percent;



Claim 23 (clause 1 continued)

A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin, wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a stacking factor of less than about 20 percent;

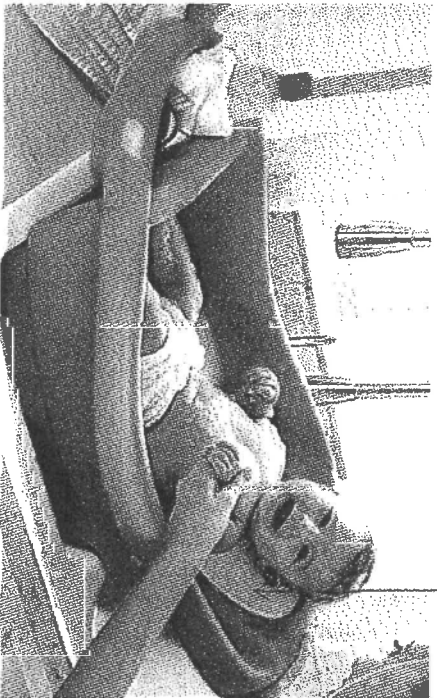


Summer Infant – Comfy Clean Deluxe			
1 Tub (height)	2 Tubs (height)	Stacking Factor	
8.935	10.505	17.57%	

Claim 23 (clause 2)

a first of the opposing side walls extending at a first incline angle with respect to the rim, and a second, opposite one of the opposing side walls extending at a second incline angle with respect to the rim, the first and second inclined side walls forming first and second back rests for children seated in the tub in different orientations;

First sidewall extending at first incline angle



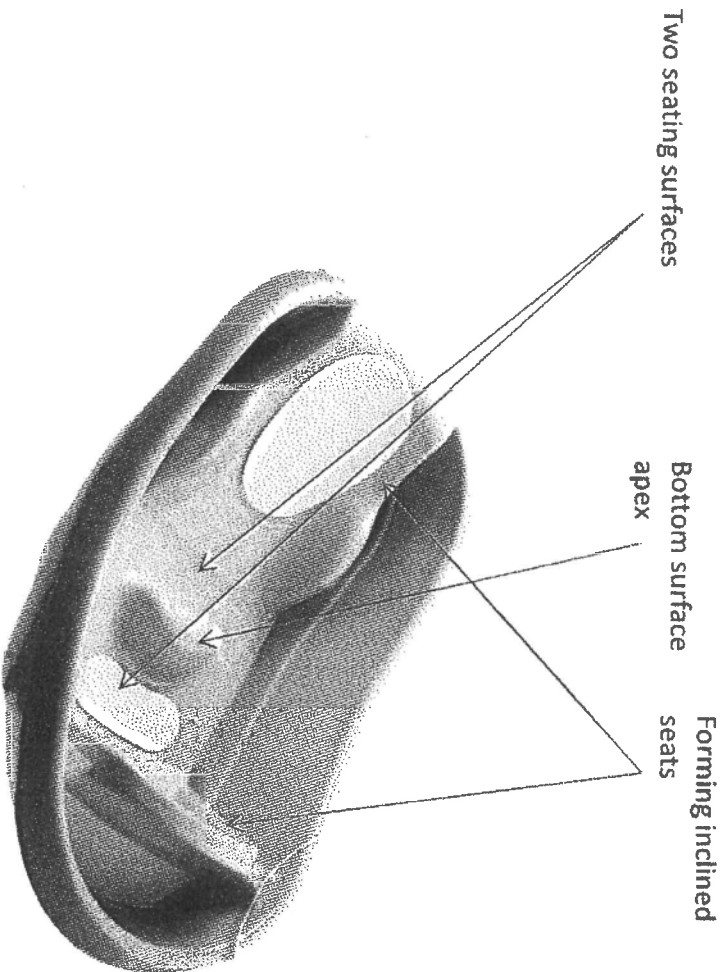
Second sidewall extending at second incline angle



First and second sidewalls forming back rests for children seated in the tub in different orientations

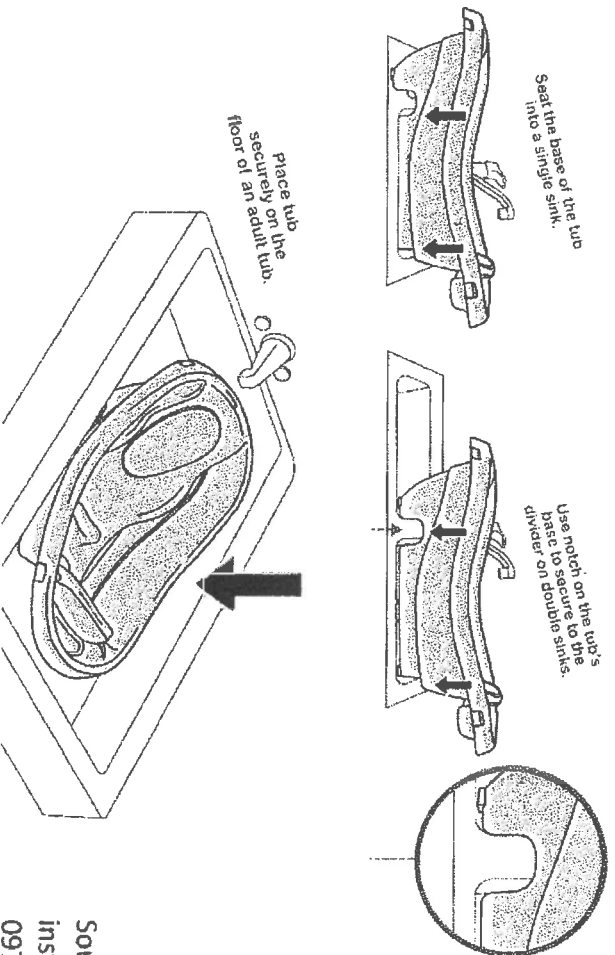
Claim 23 (clause 3)

the bottom surface having two seating surfaces disposed at differing inclinations and extending from respective back rests to distal edges joined at a bottom surface apex spaced from either end of the basin, each seating surface forming, together with a respective one of the back rests, an inclined seat



Claim 23 (clause 4)

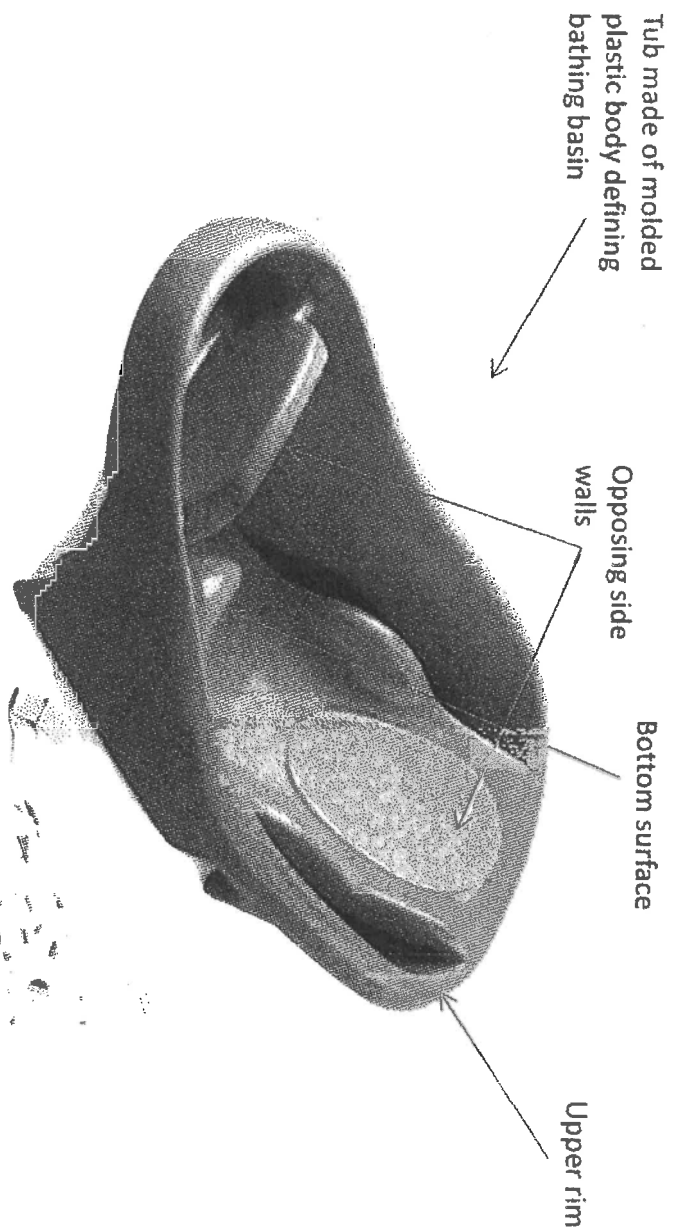
wherein the cavity includes two side troughs extending along either side of the inclined seats and formed within wales defining resting points positioned to support the tub on a horizontal surface, the wales forming laterally aligned sink divider notches at one end of the cavity, and laterally aligned ledges at the other end of the cavity, the notches sized and positioned to receive an upper edge of a divider of a double sink when the tub is placed over one basin of the double sink with the ledges resting on one outer edge of the sink.



Source: summer infant
instruction manual for
09720A/09725A

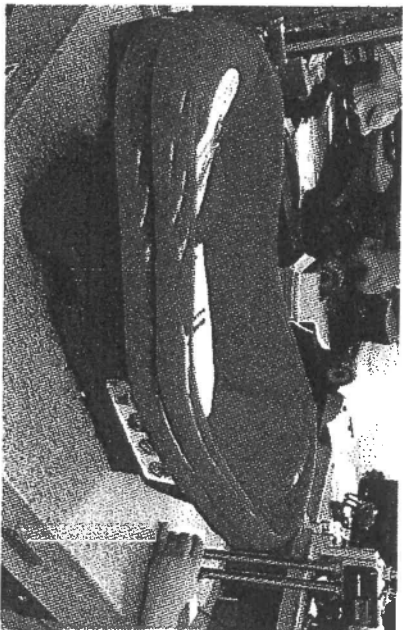
Claim 30 (clause 1)

A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin, wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about two inches (five centimeters);



Claim 30 (clause 1 continued)

A tub for bathing children, the tub comprising a molded plastic body having an upper rim and defining a bathing basin sized for bathing a young child and having a bottom surface and opposing side walls forming opposite ends of the basin, wherein the body has a nominal thickness and upper and lower surfaces having matching shape across an overall extent of the tub so as to enable the tub to nest within an identical tub with a nesting space differential of less than about two inches (five centimeters);

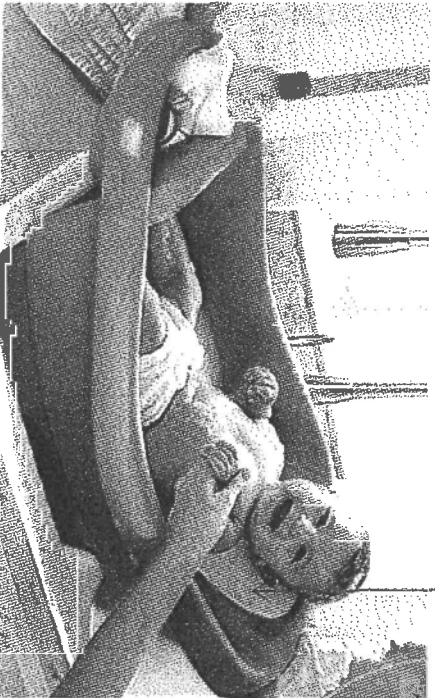


Summer Infant – Comfy Clean Deluxe			
1 Tub (height)	2 Tubs (height)	Nesting Space Differential (inches)	
8.935	10.505	1.57	

Claim 30 (clause 2)

a first of the opposing side walls extending at a first incline angle with respect to the rim, and a second, opposite one of the opposing side walls extending at a second incline angle with respect to the rim, the first and second inclined side walls forming first and second back rests for children seated in the tub in different orientations;

First sidewall extending
at first incline angle



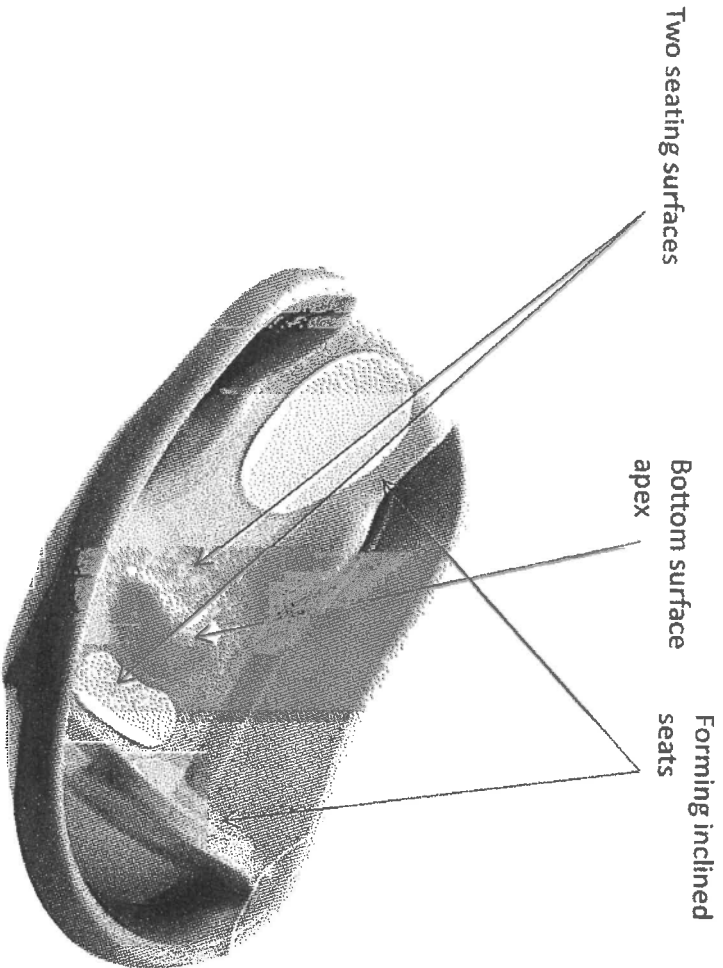
Second sidewall
extending at second
incline angle



First and second sidewalls forming back rests for children
seated in the tub in different orientations

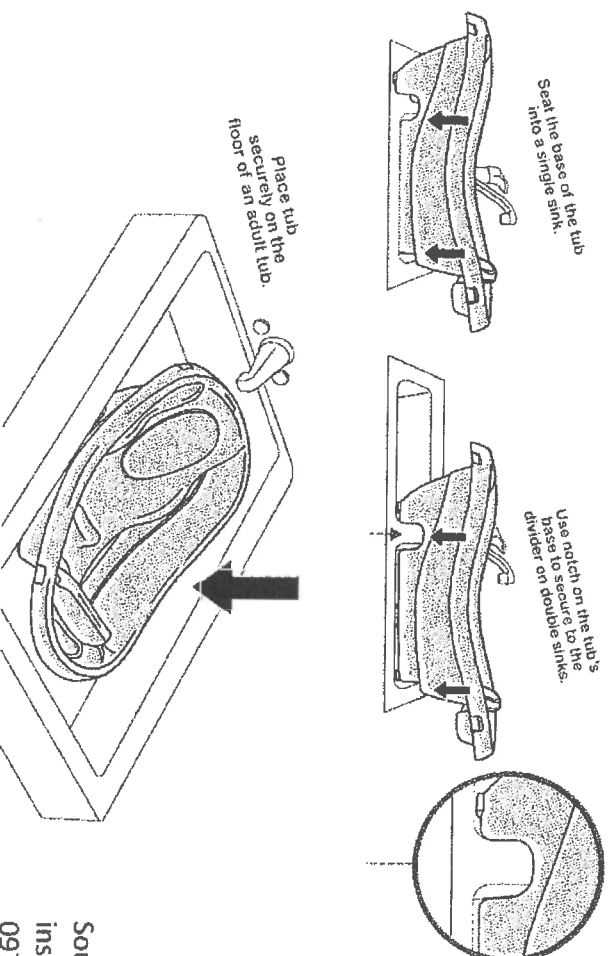
Claim 30 (clause 3)

the bottom surface having two seating surfaces disposed at differing inclinations and extending from respective back rests to distal edges joined at a bottom surface apex spaced from either end of the basin, each seating surface forming, together with a respective one of the back rests, an inclined seat



Claim 30 (clause 4)

wherein the cavity includes two side troughs extending along either side of the inclined seats and formed within wales defining resting points positioned to support the tub on a horizontal surface, the wales forming laterally aligned sink divider notches at one end of the cavity, and laterally aligned ledges at the other end of the cavity, the notches sized and positioned to receive an upper edge of a divider of a double sink when the tub is placed over one basin of the double sink with the ledges resting on one outer edge of the sink.



Source: summer infant
instruction manual for
09720A/09725A